

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

LOCHT et al

Atty. Ref.: 960-25

Serial No.: 08/765,287

Group Art Unit: 1645

Filed: September 12, 1997

Examiner: Shahnan Shah, K

For: RECOMBINANT PROTEINS OF FILAMENTOUS HAEMAGGLUTININ OF
BORDETELLA, PARTICULARLY BORDETELLA PERTUSSIS, METHOD
FOR PRODUCING SAME, AND USES THEREOF FOR PRODUCING
FOREIGN PROTEINS OR VACCINATING ACTIVE PRINCIPLES

* * * * *

DRAFT

AMENDMENT UNDER RULE 116

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

This is in response to the Office Action dated August
13, 2002, in the above matter, a Notice of Appeal having
been filed December 13, 2002, together with the required
petition and fee. The following comments are offered.

REMARKS

Reconsideration of this application is respectfully
requested.

Claims 1-15, 18-22, 27-30 and 39 stand rejected under
35 USC 103(a) over Loosmore et al in view of Menozzi et al.
Claims 34, 35 and 37 stand rejected under 35 USC 103(a)

Nixon & Vanderhye PC
ATTORNEY AT LAW

Do not Enter
KSS
Draft not
entered

8TH FLOOR
1100 NORTH GLEBE ROAD
ARLINGTON, VIRGINIA 22201-4714

TELEPHONE: (703) 816-4000
FACSIMILE: (703) 816-4100
WRITER'S DIRECT DIAL NUMBER:
(703) 816-4011

FACSIMILE COVER SHEET
PLEASE DELIVER IMMEDIATELY!!!!

Our Ref.: 960-25
Your Ref.: _____ Date: January 29, 2003

To: Examiner Shannan-Shah, K. - Group: 1645
Firm: USPTO
Facsimile No.: (703-308-4426)
From: Mary J. Wilson

Number of Pages (including cover sheet): 44
(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

Tabitha A. Trice
FACSIMILE OPERATOR

ATTACHMENT/S:

COURTESY COPY OF UNOFFICIAL DRAFT AMENDMENT
AND REFERENCE COPIES

MESSAGE:

In re PATENT APPLICATION OF:

LOCHT et al

Serial No.: 08/765,287

Filed: September 12, 1997

For: RECOMBINANT PROTEINS OF FILAMENTOUS HAEMAGGLUTININ OF
BORDETTELLA, PARTICULARLY BORDETTELLA PERTUSSIS, METHOD
FOR PRODUCING SAME, AND USES THEREOF FOR PRODUCING
FOREIGN PROTEINS OR VACCINATING ACTIVE PRINCIPLES

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED. If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.